



SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION

LOCAL UNION 397 • THUNDER BAY, ONTARIO AND AREA

Affiliated with American Federation of Labour, Building and Construction Trades Council,
and Canadian Labour Congress

March 17, 2020.

TO ALL SMWIA LOCAL 397 MEMBERS:

SMWIA Local 397 is committed to ensuring the ongoing health and safety of members during the rapidly changing COVID-19 situation.

Local 397 members should continue to think ahead about the actions that they can take to stay healthy and prevent the spread of any illness, especially respiratory infections like COVID-19. If members are experiencing symptoms of fever, cough or difficulty breathing, they should stay home and seek medical attention immediately. In an effort to reduce the prospects of community spread, members should also take steps to try and minimize close contact with others to the extent possible and make a conscious effort to engage in frequent hand hygiene and coughing and sneezing etiquette.

Currently, the risk of contracting the virus in Canada and across many regions of the world remains relatively low. Local members should keep up to date with the continually developing health risks by consulting reliable government and public health service sources, including:

<https://www.canada.ca/en/public-health/services/disease/2019-novel-coronavirus-infection.html>

<https://ipac-canada.org/coronavirus-resources.php>

Local 397 encourages members who have engaged in any international travel within the last week to follow public health authority directives and engage in self-isolation upon return to Canada even in circumstances where no symptoms may be immediately evident.

The following are essential workplace considerations that all members should be aware of:

- Where an employee contracts COVID-19 and is unable to work, an employer must grant any applicable (unpaid) leave to the employee under the Employment Standards Act. Employers may not terminate an employee or otherwise discriminate against an employee due to physical disability (which includes certain illnesses) under the Human Rights Code.
- Depending on the situation, an employer may find it necessary to close or suspend business and have a lawful right to do so.
- It has yet to be determined conclusively whether employers will be required to compensate employees in circumstances where an employer continues to operate but holds an employee without symptoms out of work.
- The Federal Government announced that it would be waiving the otherwise mandatory one week waiting period for Employment Insurance (EI) sickness benefits for workers who are in quarantine or who are self-isolating as a result of the COVID-19.



- The Occupational Health and Safety Act requires employers to take every precaution reasonable in the circumstances to protect the health and safety of its' workers. If employees run the risk of becoming infected at work, i.e. working in hospitals, an employer must provide personal protective equipment as deemed necessary.
- Where an employee has a reasonable basis to believe that COVID-19 presents a dangerous workplace condition, employees may be able to refuse to attend work or perform specific duties. In the event of a work refusal, an employer must engage in an investigation into the concerns giving rise to the refusal and, if appropriate, implement measures to eliminate or reduce any identified workplace dangers. Any such investigation will be based upon the scientific understanding of COVID-19 at the time, as well as any specific facts in the individual workplace. Employees are entitled to be free from reprisal when properly exercising a reasonably based work refusal.

To the extent any Local 397 member has any specific workplace health and safety concerns, Local 397 urges members to contact Local 397's office at 807-622-2609 or call our toll free no. 1-866-646-9911. Dan Krupa can also be reached by cell phone at 807-474-9129.

In an effort to reduce the prospects of community spread and protect the health and safety of Local 397 staff, Local 397 will be limiting member visits until further notice. Members wishing to pay dues or welfare benefits are asked to call in advance. A cheque can also be forwarded to 1125 Roland Street, Thunder Bay, Ontario P7B 5M5.

If you require any other information or documents, including job referrals, please email us at sheetmetal397@tbaytel.net.

Also, all safety training classes have been cancelled until further notice. If additional information is required, you can call the safety office at 807-623-6014 or email safety397@tbaytel.net.

Local 397 will continue to monitor the situation, keep members updated and take all steps necessary to ensure the ongoing health and safety of members and staff.

Fraternally Yours,

Dan Krupa
Business Manager
SMWIA Local 397